

Notice of Allowability

Application No.

10/817,227

Examiner

Tuan D. Nguyen

Applicant(s)

BLAMEY ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2007.
2. ☒ The allowed claim(s) is/are 1-6, 10-13 and 38 and renumbered as 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Statement of Reason for Allowance

1. Claims 1-6, 10-13 and 38 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record teaches various hearing aid signal-processing systems thereon, for example U.S. patent number 5,724,433. However, the prior art of record fails to show claim 1, an apparatus for processing an ambient sound signal including: input means for receiving the ambient sound signals; means for performing a Fourier transform on the input signal and providing an input spectrum having discrete frequency components each including a coefficient defining the magnitude of the component; means for multiplying the magnitude coefficients by a predetermined gain value and providing magnitude adjusted frequency components; means for comparing the amplitude of the magnitude adjusted frequency components with predetermined values; means for attenuating the magnitude of those adjusted frequency components whose magnitude is greater than the predetermined values; and output means for an output spectrum signal including the frequency components and respective adjusted and attenuated magnitudes and claim, 38 an apparatus for processing an ambient sound signal including: a) a frequency analysis means arranged to generate a plurality of analysis signals corresponding to said ambient signal; b) a magnitude adjustment means coupled to the frequency analysis means and arranged to adjust the magnitude of each of said analysis signals to produce a plurality of magnitude

adjusted analysis signals; c) a distribution estimation means responsive to said plurality of magnitude adjusted analysis signals and arranged to generate distribution values characteristic of the amplitude distribution of each of the said plurality of magnitude adjusted analysis signals over a period of time; and d) a comparison means coupled to the distribution estimation means and arranged to perform comparisons of said distribution values with predetermined hearing response parameters, said comparison means controlling said magnitude adjustment means on the basis of said comparisons; wherein the magnitude adjustment means, the distribution estimation means and the comparison means are implemented by a programmed microprocessor coupled to memory storage means, said memory means storing the hearing response parameters and include at least one the maximum comfortable levels, optimum audibility levels and threshold levels for each of the plurality of frequency components.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan D. Nguyen whose telephone number is (571) 272-8163. The examiner can normally be reached on M-F 6:30-3:00.

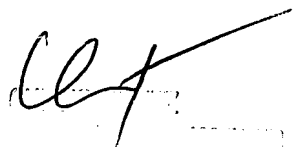
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/817,227
Art Unit: 2614

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TDN
11/28/07

A handwritten signature in black ink, appearing to be 'CLF', is located in the lower right quadrant of the page.